

UNITED STATES DISTRICT COURT

D. C. Form No. 106A Rev.

| TITLE OF CASE | | ATTORNEYS | | | | | |
|--|--------------|--|---------|---------------------|-------|-------|----|
| <p>THOMAS C. DOTSON, a minor, through his mother and next friend, OLETA SCOTT and OLETA SCOTT, individually vs ARNOLD HUBBARD, WELCOME FREEWILL BAPTIST CHURCH and OUTBOARD MARINE CORPORATION, a foreign corporation.</p> | | <p>For plaintiff: Edwin W. Ash, 587-9318 Bailey, Ash & Romine P. O. Box 159 Okmulgee, Oklahoma 74447</p> <p> </p> <p>For defendant: Joseph F. Glass (Outboard Marine) Best, Sharp, Thomas, Glass & Warner 200 Franklin Bldg., Tulsa, Oklahoma 74103 582-8877</p> | | | | | |
| STATISTICAL RECORD | COSTS | | DATE | NAME OR RECEIPT NO. | REC. | DISB. | |
| J.S. 5 mailed 12/1/74 | Clerk | | 11-5-74 | Glass | 15 00 | | |
| | | | 11-7-74 | C/D #21 | | 15 | 00 |
| J.S. 6 mailed 9-1-75 | Marshal | | | | | | |
| Basis of Action: Personal injuries from breach of warranty | Docket fee | | | | | | |
| | Witness fees | | | | | | |
| Action arose at: Creek County | Depositions | | | | | | |

| DATE | PROCEEDINGS | Date Order or Judgment Noted |
|---------|---|------------------------------|
| 11-5-74 | 1. Petition for removal from Dist. Court of Creek County, filed. g | |
| 11-5-74 | 2. Bond on removal, filed, Travelers Indemnity Co., surety. g | |
| 11-5-74 | 3. Notice of removal, filed. g | |
| 11-5-74 | 4. Answer of Outboard Marine Corporation, filed. g (with jury demand) | |
| 11-6-74 | 5. Deft. Outboard Marine Corp. Demand for JURY TRIAL, filed.k | |
| 11-7-74 | 6. ACKNOWLEDGMENT of Clk. of Dist. Ct. of Creek Cty, etc. of Receipt of Copy of Notice, Petition and Bond for Removal, filed.jj | |
| 1-8-75 | 7. Order filed, transferring case to Judge Cook. (LB-J) ds | |
| 2-6-75 | MO: Case set for pre-trial hearing on 2-25-75 at 2:45 p.m. (HDC-J)hm | |
| 2-25-75 | Pre-trial hearing held. Statements made. Parties stipulate as to settlement and its amount. Deft. waives signing of Dr's deposition filed in State Court. Pltf. to prepare pre-trial order & file within 5 days. Case to be set on next jury docket after March docket. (EST-1½ days) (HDC-J)hm | |
| 3-13-75 | 8. Pre-trial order, filed. (ready for jury trial)(HDC-J)hm | |
| 3-24-75 | MO: Case set for jury trial 6-9-75 at 10:00 a.m. (HDC-J)hm | |
| 4-2-75 | MO: Case reset for jury trial 6-16-75 at 10:00 a.m. (HDC-J)hm | |
| 4-4-75 | 9. Appl. of def., Outboard Marine, for continuance of jury trial, filed. rm | |
| 4-7-75 | 10. Order, filed, granting deft's applic. for continuance of jury trial and striking from jury assignment of 6-16-75. (HDC-J)hm (copies mailed) | |
| 4-17-75 | 11. Notice of Lien, filed, by Ok. State Dept. of Pub. Welfare. g | |
| 6-12-75 | MO: Case set for jury trial 8-11-75 at 10:00 a.m. (HDC-J)hm | |
| 8-8-75 | 12. Defendant Outboard Marine Corp's Trial Brief, filed. mm | |
| 8-8-75 | 13. Defendant Outboard Marine Corporation's Requested INstructions, filed. mm | |
| 8-11-75 | 14. Plaintiff's Trial Brief, filed. mm | |
| 8-11-75 | 15. Plaintiff's Requested Instructions, filed. mm | |
| 8-11-75 | MO: Case called for jury trial. Parties announce ready. Case continued until 8-13-75 at 9:30 a.m. (HDC-J)hm | |
| 8-12-75 | MO: Case continued from 8/13/75 at 9:30 a.m. to 8/13/75 at 1:30 p.m. (HDC-J)rm | |
| 8-13-75 | 16. Defendant's Requested Voir Dire Questions, filed. mm | |
| 8-13-75 | MO: Case contd. from 8/13/75 at 1:30 p.m. to 8/18/75 at 9:30 p.m. for jury trial.(HDC-J)rm-parties notified by phone | |
| 8-15-75 | Deposition of <u>Dr. Robert L. Kramer</u> , <u>James Arnold Hubbard</u> , <u>Amy Ellen Hubbard</u> , <u>Thomas C. Dotson</u> & <u>Oleta Scott</u> , filed. Original file in | |

Judge COOK

D. C. 110A Rev. Civil Docket Continuation

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| DATE | PROCEEDINGS | Date Order or Judgment Noted |
|---------|---|------------------------------|
| 8-19-75 | <p>District Court of Creek County, State of Okla.mm</p> <p>Case tried to a jury Aug. 18 & 19, 1975. Jury empaneled and admonished. Parties announce ready. Rule invoked. Opening statements made. Pltf. presents case in chief w/test. of witnesses. Exhibits admitted. Pltf. rests. Deft. presents case in chief w/test. of witnesses. Deft's mo/directed verdict overruled. Deft. rests. Parties rest. Closing arguments made. Court instructs the jury. Bailiff sworn. Jury retires to deliberate at 2:49 p.m. Jury returns with verdict FOR THE DEFENDANT at 3:30 p.m. Jury discharged. Verdict ordered read, received & filed in open court. 3:32 p.m. Court recessed. (HDC-J)hm</p> | |
| 8-19-75 | Trial exhibits, filed.hm | |
| 8-19-75 | Instructions to the Jury, filed. (HDC-J)hm | |
| 8-19-75 | Verdict, filed in open court, finding for the defendant. hm | |
| 8-19-75 | Judgment on jury verdict, filed and entered. (JCS-Clk)hm (copies mailed) | |
| 8-21-75 | MO: There being no objection from deft., it is ordered that the pltf. may withdraw the lawnmower (pltf's ex. #1). (HDC-J)hm | |

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